THE HON'BLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION NO. 23566 OF 2007

DATED: 24-12-2007

Between :

Mahmoodnagar Welfare Association,
Rep., by its President,
Mahmoodnagar,
Ranga Reddy District.

… Petitioner

And

The District Collector,
Ranga Reddy District,
Hyderabad and 2 others.

... Respondents

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ORDER :

This writ petition is filed for a Mandamus declaring the inaction of the respondents to consider and pass orders on the applications of the members of the petitioner-Association for grant of house site pattas to an extent of 100 to 140 square yards of land in Sy.No.25/1 and 25/2 (old S.No.101/part), situated at Petbasheerabad, Kompalli village, Qutubullapur Mandal, Ranga Reddy District, which is in their occupation for more than 25 years, as arbitrary and illegal.

It is the case of the petitioners that the petitioners have formed into an association in the name and style of Mahmoodnagar Welfare Association and first petitioner is the President and others are the members of the petitioner's association. It is stated that a representation was submitted by the petitioner-association on 27-10-2007 before the Collector, Ranga Reddy District marking copies to the Revenue Divisional Officer and Mandal Revenue Officer, Ranga Reddy District stating that all the 77 members of the petitioner-association namely petitioners

2 to 78 approached the Government time and again from 1980 onwards for allotment of the house sites in their occupation and each one of them is in occupation of the house site to an extent of 100 to 140 square yards in old Sy.No.101/part new Sy.No.25/1 and 25/2 of Petbasheerabad, Kompalli village, Qutubullapur Mandal. After filing the writ petition, petitioners 2 to 78 are impleaded and stated that each of them has filed separate applications dated 12-11-2007 before the

Collector, Ranga Reddy District marking copies to the 2nd and 3rd respondents stating that they are in occupation of small extents of 100 to 140 square yards in the aforesaid Sy.Nos of Kompalli village and requested to grant house site pattas. It is further stated that their occupation has been recognized and ration cards are also issued in their favour.

On the other hand, the learned Government Pleader appearing for the respondents submits that the lands are covered by Sy.Nos.25 and 93 of Petbasheerabad village, but not Sy.Nos.101 and 104 of Kompalli village and an extent of 20 acres in Sy.No.23 and 25 of Petbasheerabad village was allotted by the Government in favour of St.Anns High School, Secunderabad and therefore, it cannot be said that the petitioners are in possession and occupation of the said land.

The learned counsel for the petitioners submits that the land in Sy.No.25 is a phased extent of land and the same is in occupation of the petitioners and was not allotted to St.Anns High School.

I am not inclined to express any opinion as to whether the each of the petitioners are in occupation and possession of land measuring 100 to 140 square yards in Sy.No.25/1 and 25/2 of Kompalli village, Qutubullapur Mandal or they are in possession of the lands situated in Kompalli village or Petbasheerabad village. However, if the petitioners are in occupation of the lands, it is for the revenue authorities to consider their applications, in accordance with law, and pass appropriate orders.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the first respondent to consider and dispose of the application of the petitioner-association dated 27-10-2007 and individual applications of the petitioners dated 12-11-2007 and pass appropriate orders in accordance with law. *Status quo* with regard to possession of the land obtaining as on today shall be maintained by the parties till the applications are disposed of. No order as to costs.

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V. ESWARAIAH,J

Date:24-12-2007

KLP